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OFFICE OF PETITIONS

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In re Application of
Kazuharu Teraoka et al.
Application No. 10/772,306
Filed: February 6, 2004
Attorney Docket No. P24882

ON PETITION

This is a decision on the petition filed August 22, 2006 to withdraw the holding of abandonment under 37 CFR 1.181.

The petition under 37 CFR 1.181 is **GRANTED**.

This application became abandoned February 22, 2006 for failure to timely pay the issue fee in response to the Notice of Allowance mailed November 21, 2005. Accordingly, a Notice of Abandonment was mailed April 11, 2006.

Petitioner claims that the Notice of Allowance mailed November 21, 2005 was never received in that the Notice was mailed to the wrong address. Petitioners provide proof that a Power of Attorney was incorrectly filed on November 15, 2004 in the instant application by an unrelated Attorney, and that the Power of Attorney was meant for application no. 10/722,306.

A review of the file confirms that the correspondence address was in fact changed by virtue of a Power of Attorney having been filed intended for application no. 10/722,306 and not 10/772,306 and that the Notice of Allowance, Notice of Allowability and Notice of Abandonment were therefore sent to the wrong address and not received by the petitioner, as claimed.

The USPTO records have been corrected and in view of the above, no petition fees are due and none have been charged.

The Notice of Abandonment is withdrawn and this matter is being referred to Technology Center 2841 for a re-mailing of the Notice of Allowance and Notice of Allowability.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball

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